

STATE OF ILLINOIS
LEGISLATIVE INFORMATION SYSTEM
94th GENERAL ASSEMBLY

DAILY

Synopsis of Legislation

Legislation Passed Both Houses with Last Action

For day of May 11, 2005

HB 00015 Rep. Gary Hannig-Patricia R. Bellock and Patrick J Verschoore
(Sen. Deanna Demuzio)

65 ILCS 5/11-135-3.5 new

Amends the Illinois Municipal Code. Authorizes certain water commissions to: (i) pass ordinances and promulgate rules necessary for the protection of commission property; (ii) prescribe fines and penalties and seek restitution for violations of its ordinances; (iii) pass all ordinances to hire police officers to protect commission property; (iv) enter into intergovernmental police assistance agreements with counties or municipalities; and (v) enter into intergovernmental agreements with any unit of local government in order to carry out the purposes for which the commission was formed.

House Amendment No. 2

Deletes provisions authorizing a water commission (i) to pass ordinances and promulgate rules necessary for the proper management and conduct of the business of the commission; (ii) to prescribe fines and penalties for the violation of commission ordinances; and (iii) to pass ordinances to hire police officers to protect commission property.

May 11 05 H Passed Both Houses

HB 00020 Rep. Suzanne Bassi-Sidney H. Mathias-Lou Lang-Sandra M. Pihos-Mark H. Beaubien, Jr., Jack McGuire, Maria Antonia Berrios, Susana A Mendoza, Jack D. Franks, Patricia R. Bellock and Deborah L. Graham
(Sen. Mattie Hunter-James A. DeLeo-Terry Link, George P. Shadid, Frank C. Watson, Dan Rutherford, Arthur J. Wilhelmi-M. Maggie Crotty-Wendell E. Jones, Edward D. Maloney, Don Harmon, Kathleen L. Wojcik, Dave Syverson, Gary G. Dahl, J. Bradley Burzynski, Pamela J. Althoff and Dan Cronin)

5 ILCS 490/83 new

Amends the State Commemorative Dates Act. Designates the month of November of each year as Alzheimer's Awareness Month.

May 11 05 H Passed Both Houses

HB 00043 Rep. Robert Rita-Patrick J Verschoore-Jack McGuire-John D'Amico
(Sen. Edward D. Maloney)

New Act

Creates the Construction Site Temporary Restroom Facility Act. Provides that the owner of a temporary building or building under construction, not yet occupied for its intended purpose, shall insure that employees working on the construction site have access to restroom facilities located within 300 feet of the entrance of the building under construction and which meet several requirements. Provides that inspectors employed by municipalities and counties may inspect construction sites to insure compliance with the Act. Provides penalties for a violation of the Act. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Inserts provisions substantially similar to those of HB 43 except: (1) provides that if individual portable units are used, separate toileting facilities are not required for males and females and toileting facilities provided shall comply with the Occupational Safety and Health Administration construction sanitation standards; (2) provides that for non-residential temporary buildings or non-residential buildings, the restroom facilities shall be located within 300 feet of the entrance of the building under construction; and (3) for residential temporary buildings or residential buildings, the restroom facilities shall be made readily available in nearby areas. Effective immediately.

May 11 05 H Passed Both Houses

HB 00116 Rep. Rich Brauer-Jack D. Franks-Ron Stephens-Lisa M. Dugan-Eddie Washington, Brandon W. Phelps, Michael K. Smith and Robert F. Flider
(Sen. Larry K. Bomke-Martin A. Sandoval-Dale E. Risinger)

5 ILCS 375/3 from Ch. 127, par. 523

Amends the State Employees Group Insurance Act of 1971. Allows active duty military personnel to add time in active duty to the time they can be enrolled in school and still be considered a dependent. Effective immediately.

May 11 05 H Passed Both Houses

94th General Assembly
Synopsis of Legislation Passed Both Houses
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HB 00156 Rep. Donald L. Moffitt-Marlow H. Colvin-Mike Bost-Linda Chapa LaVia-Jim Watson, Jerry L. Mitchell, Jim Sacia, Paul D. Froehlich, Sidney H. Mathias, Michael K. Smith, Mike Boland, Thomas Holbrook, Harry Osterman, William B. Black, Patrick J Verschoore, Jack McGuire, William Davis, Robert W. Pritchard, Rosemary Mulligan, Shane Cultra and David Reis
 (Sen. James F. Clayborne, Jr.)

105 ILCS 5/10-20.12b

Amends the School Code. Provides that if a pupil's change of residence is due to the military service obligation of a person who has legal custody of the pupil, then, upon the written request of the person having legal custody of the pupil, the residence of the pupil is deemed for purposes of enrollment, for the duration of the custodian's military service obligation, to be the same as the residence of the pupil immediately before the change of residence caused by the military service obligation. Provides that a school district is not responsible for providing transportation to or from school for a pupil whose residence is determined under these provisions. Effective immediately.

May 11 05 H Passed Both Houses

HB 00172 Rep. Jim Watson-Patrick J Verschoore-Jack McGuire
 (Sen. Deanna Demuzio)

325 ILCS 5/7.14 from Ch. 23, par. 2057.14

Amends the Abused and Neglected Child Reporting Act. Provides that identifying information in indicated reports involving the sexual abuse of a child, the death of a child, or serious physical injury to a child must be retained after the report is indicated or after the subsequent case or report is closed (instead of may be retained longer than 5 years after that time).

House Amendment No. 1

Replaces everything after the enacting clause. Amends the Abused and Neglected Child Reporting Act. Provides that identifying information in indicated reports involving sexual penetration of a child, sexual molestation of a child, sexual exploitation of a child, torture of a child, or the death of a child, as defined by the Department of Children and Family Services in rules, shall be retained for a period of not less than 50 years after the report is indicated or after the subsequent case or report is closed. (Under current law, identifying information in indicated reports involving the sexual abuse of a child or the death of a child may be retained longer than 5 years after the report is indicated or after the subsequent case or report is closed.) Effective immediately.

May 11 05 H Passed Both Houses

HB 00173 Rep. Suzanne Bassi-Sidney H. Mathias-Patricia R. Bellock-Sandra M. Pihos-Rosemary Mulligan, Bob Biggins, Ruth Munson, Jack D. Franks and Linda Chapa LaVia
 (Sen. Carole Pankau)

750 ILCS 28/20

Amends the Income Withholding for Support Act. Provides that the court, at its discretion, may withhold the Social Security Numbers of the child or children from being disclosed in the income withholding notice.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Income Withholding for Support Act. Provides that the income withholding notice shall include the Social Security Number of the obligor (instead of the obligor, obligee, and the child or children included in the order for support).

May 11 05 H Passed Both Houses

HB 00181 Rep. Jim Watson
 (Sen. Deanna Demuzio-Kirk W. Dillard-Martin A. Sandoval)

20 ILCS 2605/2605-575 new

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Authorizes the Department to retain the fingerprint record of a child fingerprinted at a Department data collection location. Requires the permission of the child's parent or guardian and permits retention and use only if the child is later missing or abducted, if an Amber Alert is issued for that child, or if a missing person report is filed for that child. Requires that the Department destroy the record after the child reaches age 18, unless the 18-year-old authorizes retention of the record.

May 11 05 H Passed Both Houses

HB 00197 Rep. Carolyn H. Krause-JoAnn D. Osmond
(Sen. Adeline Jay Geo-Karis)

215 ILCS 105/7 from Ch. 73, par. 1307

Amends the Comprehensive Health Insurance Plan Act. Provides that a person is not eligible for coverage under the Comprehensive Health Insurance Plan if the person has or later receives benefits or funds from a settlement, judgment, or award resulting from an accident or injury and the remaining amount exceeds \$500,000 (rather than \$100,000).

House Amendment No. 1

Deletes everything. Reinserts the contents of the bill but changes the amount of recovery from an accident or injury that makes a person ineligible for coverage under the Comprehensive Health Insurance Plan Act to over \$300,000 (rather than over \$500,000).

May 11 05 H Passed Both Houses

HB 00203 Rep. Richard P. Myers-Patrick J. Verschoore-Jack McGuire-Jack D. Franks-Linda Chapa LaVia, Michael P. McAuliffe, John A. Fritchey, Wyvetter H. Younge, William Davis, Patricia Bailey, Brandon W. Phelps, Robin Kelly, Deborah L. Graham, Michael K. Smith, John D'Amico and Susana A. Mendoza
(Sen. John M. Sullivan and Pamela J. Althoff-Martin A. Sandoval)

10 ILCS 5/19-13 from Ch. 46, par. 19-13

Amends the Election Code. Provides that a person admitted to a hospital, nursing home, or rehabilitation center (now, hospital) 5 or fewer days before an election is entitled to personal delivery of an absentee ballot. Effective immediately.

May 11 05 H Passed Both Houses

HB 00210 Rep. William Delgado-Patricia R. Bellock-Elizabeth Coulson-Naomi D. Jakobsson-Michelle Chavez, Sandra M. Pihos, Maria Antonia Berrios, Cynthia Soto, John E. Bradley and Marlow H. Colvin
(Sen. Mattie Hunter-Kimberly A. Lightford and M. Maggie Crotty)

20 ILCS 3933/5

Amends the Illinois Early Learning Council Act. Provides that the Council shall act in coordination with the Interagency Nutrition Council when dealing with activities related to nutrition, nutrition education, and physical activity.

May 11 05 H Passed Both Houses

HB 00229 Rep. Robert W. Pritchard-Dan Reitz, Jack D. Franks and Linda Chapa LaVia
(Sen. J. Bradley Burzynski and Pamela J. Althoff)

505 ILCS 5/5 from Ch. 5, par. 1005

Amends the Agricultural Areas Conservation and Protection Act. For purposes of designating an agricultural area, requires that any non-contiguous portion must be within 1.5 miles of the nearest portion of the area.

May 11 05 H Passed Both Houses

HB 00264 Rep. Jim Watson-Dan Brady-William B. Black
(Sen. Deanna Demuzio)

765 ILCS 835/9 from Ch. 21, par. 21.2

Amends the Cemetery Protection Act. Provides that a cemetery lot or a mausoleum crypt (instead of just a cemetery lot) may be presumed abandoned if the listed circumstances exist. Effective immediately.

House Amendment No. 1

Adds reference to:

765 ILCS 835/.01 from Ch. 21, par. 14.01

Adds reference to:

765 ILCS 835/1 from Ch. 21, par. 15

Adds reference to:

765 ILCS 835/2 from Ch. 21, par. 16

Adds reference to:

765 ILCS 835/3 from Ch. 21, par. 17

Adds reference to:

765 ILCS 835/4 from Ch. 21, par. 18

Adds reference to:

765 ILCS 835/5 from Ch. 21, par. 19

Adds reference to:

765 ILCS 835/5a from Ch. 21, par. 19a

Adds reference to:

765 ILCS 835/8 from Ch. 21, par. 21.1

Adds reference to:

765 ILCS 835/10 from Ch. 21, par. 21.3

Adds reference to:

765 ILCS 835/12 from Ch. 21, par. 21.5

Adds reference to:

765 ILCS 835/13 from Ch. 21, par. 21.6

Adds reference to:

765 ILCS 835/14 from Ch. 21, par. 21.7

Deletes everything after the enacting clause. Amends the Cemetery Protection Act. Defines "community mausoleum".

Replaces references to "cemetery association" with "cemetery authority". Replaces references to "lot" in some provisions with "interment, entombment, or inurnment right" and in the remaining provisions with "interment right, entombment rights in a community mausoleum or lawn crypt section, or inurnment right in a community columbarium". Raises the fine for violation of the cemetery rules to not less than \$100, nor more than \$500 for each offense (instead of not less than \$5, nor more than \$100 for each offense).

Authorizes the cemetery authority (instead of the board of directors of the society or association) to make by-laws, rules, and regulations for the governing of the cemetery authority, to appoint policemen to protect the cemetery, and to invest funds. Provides that, unless a specific agreement has been entered into designating inviolate rights to a cemetery interment, entombment, or inurnment right, there is a presumption of abandonment if 50 years (instead of 60 years) have passed since the listed actions have been taken.

Makes other changes.

May 11 05 H Passed Both Houses

HB 00270 Rep. Jim Watson-Sidney H. Mathias-Roger Jenisch-Eddie Washington-Michael K. Smith, Brandon W. Phelps, Robert F. Flider, Daniel V. Beiser, Michelle Chavez, Charles E. Jefferson, Elizabeth Coulson, Suzanne Bassi, Dan Reitz, Thomas Holbrook, Ed Sullivan, Jr., Kathleen A. Ryg and Naomi D. Jakobsson
(Sen. Deanna Demuzio-Jacqueline Y. Collins-Martin A. Sandoval-Adeline Jay Geo-Karis)

35 ILCS 200/15-165

Amends the Property Tax Code. Provides that property up to an assessed value of \$70,000 (now,\$58,000), owned and used exclusively by a disabled veteran, or the spouse or unmarried surviving spouse of the veteran, as a home, is exempt. Effective immediately.

May 11 05 H Passed Both Houses

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HB 00312 Rep. John A. Fritchey-Paul D. Froehlich-Lou Lang-Marlow H. Colvin-Harry Osterman, Mary E. Flowers, Calvin L. Giles, Kevin Joyce, David E. Miller, Ruth Munson, Rosemary Mulligan, Eddie Washington and Richard T. Bradley
(Sen. Jacqueline Y. Collins-Ira I. Silverstein-Susan Garrett-Jeffrey M. Schoenberg-Mattie Hunter and Kwame Raoul)

105 ILCS 5/27-20.3 from Ch. 122, par. 27-20.3

30 ILCS 805/8.29 new

Amends the School Code. Provides that the required unit of instruction studying the events of the Holocaust shall be expanded to include the study of other events of genocide, including those in Ukraine, Cambodia, Bosnia, Rwanda, and Sudan. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the School Code. Provides that in addition to the unit of instruction studying the events of the Holocaust, the curriculum of every public elementary school and high school shall include a unit of instruction studying other acts of genocide across the globe, including, but not limited to, the Armenian Genocide, the Famine-Genocide in Ukraine, and more recent atrocities in Cambodia, Bosnia, Rwanda, and Sudan. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

May 11 05 H Passed Both Houses

HB 00324 Rep. Robert Rita-Larry McKeon-Linda Chapa LaVia-Donald L. Moffitt-Mike Boland, Patrick J Verschoore and Jack McGuire
(Sen. William R. Haine and Edward D. Maloney-Larry K. Bomke-Mattie Hunter)

5 ILCS 327/5

5 ILCS 327/10

5 ILCS 327/20

Amends the Organ Donor Leave Act. Provides that the Act applies to all public employers in the State and to all private employers in the State who have 15 or more employees (now, the Act applies only to any branch, department, board, committee, or commission of State government).

House Amendment No. 1

Deletes reference to:

5 ILCS 327/5

Deletes reference to:

5 ILCS 327/10

Adds reference to:

New Act

Deletes everything after the enacting clause. Creates the Employee Blood Donation Leave Act. Provides that on request, a participating employee of any unit of local government, board of election commissioners, or any private employer in the State who has 50 or more employees may be entitled to blood donation leave with pay of up to one hour to donate blood every 56 days in accordance with appropriate medical standards. Amends the Organ Donor Leave Act. Provides that the donations of blood platelets must be in accordance with appropriate medical standards established by the American Red Cross, America's Blood Centers, the American Association of Blood Banks, or other nationally-recognized standards (now, the American Red Cross or other nationally-recognized standards).

House Amendment No. 2

Provides that the purpose of the Act is to provide time off with pay to allow employees of units of local governments, boards of election commissioners, or private employers in the State of Illinois to donate bloodprovide time off with pay to allow employees of units of local governments, boards of election commissioners, or private employers in the State of Illinois to donate blood.

May 11 05 H Passed Both Houses

HB 00373 Rep. Chapin Rose
(Sen. Richard J. Winkel, Jr.)

40 ILCS 5/3-110 from Ch. 108 1/2, par. 3-110

40 ILCS 5/3-110.8 new

40 ILCS 5/7-139 from Ch. 108 1/2, par. 7-139

40 ILCS 5/7-139.11 new

Amends the Downstate Police and IMRF Articles of the Illinois Pension Code. Authorizes a member of a downstate police fund who has up to 8 years of creditable service under IMRF to transfer his or her service credit under IMRF to that downstate police fund. Authorizes a member of IMRF who has up to 8 years of creditable service in a fund under the Downstate Police Article to transfer his or her service credit under that downstate police fund to IMRF. Provides that if the amount transferred under this amendatory Act is less than the true cost to the receiving pension fund of allowing that creditable service to be established, then the amount of creditable service the person may establish under this amendatory Act shall be reduced by a corresponding amount. Effective immediately.

House Amendment No. 1

Changes an obsolete reference to the Department of Insurance. In provisions amending the IMRF Article, replaces references to the Public Pension Division with references to the board and removes reporting requirements related to calculations made to transfer the credits.

May 11 05 H Passed Both Houses

HB 00381 Rep. Marlow H. Colvin-David E. Miller-John A. Fritchey-Edward J. Acevedo-Harry Osterman, Deborah L. Graham, Robin Kelly, Paul D. Froehlich, William Davis, Robert Rita, Milton Patterson, Kenneth Dunkin, Constance A. Howard, Lovana Jones, Michelle Chavez, Patricia Reid Lindner, Barbara Flynn Currie, Cynthia Soto, William Delgado, Elaine Nekritz, Maria Antonia Berrios, Arthur L. Turner, Wyvetter H. Younge, Shane Cultra, Jack D. Franks, Linda Chapa LaVia, Calvin L. Giles, Sidney H. Mathias, Richard T. Bradley, Ruth Munson, Karen A. Yarbrough, Charles E. Jefferson and Susana A. Mendoza
(Sen. Jacqueline Y. Collins-Mattie Hunter-Kwame Raoul)

720 ILCS 5/17-29 new

Amends the Criminal Code of 1961. Provides that in addition to any other penalties imposed by law or by an ordinance or resolution of a unit of local government or school district, any individual or entity that knowingly obtains, or assists another to obtain, a contract with a governmental unit because of a false representation that the individual or entity, or the individual or entity assisted, is a minority owned business, female owned business, or business owned by a person with a disability, regardless of whether the preference was established by statute or local ordinance or resolution, is guilty of a Class 4 felony. Provides that the court shall order that an individual or entity convicted of this offense must pay to the governmental unit that awarded the contract a penalty equal to one and one-half times the amount of the contract obtained because of the false representation.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the introduced bill but changes penalties for a violation from a Class 4 felony to a Class 2 felony.

May 11 05 H Passed Both Houses

HB 00386 Rep. Jay C. Hoffman-Patricia Bailey-Kevin Joyce-Thomas Holbrook-Joseph M. Lyons, Naomi D. Jakobsson, Karen A. Yarbrough, Monique D. Davis, Brandon W. Phelps, Deborah L. Graham, Daniel V. Beiser and John E. Bradley
(Sen. William R. Haine)

625 ILCS 5/3-623 from Ch. 95 1/2, par. 3-623

Amends the Illinois Vehicle Code. Provides that an Illinois resident who is the surviving spouse of a person killed in a foreign war and awarded the Purple Heart by a branch of the armed forces of the United States is eligible to be issued Purple Heart license plates.

May 11 05 H Passed Both Houses

HB 00404 Rep. Roger L. Eddy-Sandra M. Pihos
(Sen. Dan Cronin-M. Maggie Crotty-Adeline Jay Geo-Karis, Dave Sullivan, John O. Jones, Dale E. Risinger, Larry K. Bomke, Pamela J. Althoff, Richard J. Winkel, Jr. and Dale A. Righter)

105 ILCS 5/18-8.05

Amends the School Code. In provisions concerning the compilation of average daily attendance under the State aid formula, makes changes concerning the days when the Prairie State Achievement Examination is administered. Effective July 1, 2005.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 00413 Rep. Kathleen A. Ryg-Sidney H. Mathias-Karen A. Yarbrough-Eddie Washington-Donald L. Moffitt
(Sen. Kathleen L. Wojcik, Pamela J. Althoff, Dale E. Risinger-George P. Shadid and Dan Rutherford)

65 ILCS 5/3.1-30-10 from Ch. 24, par. 3.1-30-10

Amends the Illinois Municipal Code. In municipalities of less than 500,000, provides that the municipal clerk, when authorized by the corporate authorities of the municipality, may appoint the number of deputy clerks necessary to discharge the functions and duties of the office of municipal clerk (now, the clerk may be authorized to appoint one deputy clerk). Provides that the corporate authorities of the municipality may limit the number of deputy clerks that the municipal clerk may appoint. Effective immediately.

May 11 05 H Passed Both Houses

HB 00415 Rep. Thomas Holbrook-Patrick J Verschoore-Linda Chapa LaVia-Ron Stephens
(Sen. William R. Haine)

20 ILCS 1805/28.6

Amends the Military Code of Illinois. Requires that a member of the Army National Guard or the Air National Guard ordered to funeral honors duty receive an allowance of \$100 (rather than \$50).

May 11 05 H Passed Both Houses

HB 00444 Rep. John D'Amico-Kevin Joyce-Patricia R. Bellock-David E. Miller-Susana A Mendoza, William B. Black, Daniel V. Beiser, Robin Kelly, Sara Feigenholtz, Mike Boland, Patricia Bailey, Careen M Gordon, Lisa M. Dugan, Patrick J Verschoore, Maria Antonia Berrios, Michelle Chavez, Thomas Holbrook, Monique D. Davis, Jack D. Franks, Linda Chapa LaVia, Robert Rita, Karen A. Yarbrough, Brandon W. Phelps, Marlow H. Colvin, Deborah L. Graham, Eddie Washington and Michael K. Smith
(Sen. Kwame Raoul-Jacqueline Y. Collins)

720 ILCS 5/20-1.1 from Ch. 38, par. 20-1.1

Amends the Criminal Code of 1961. Provides that a person also commits aggravated arson when in the course of committing an arson he or she knowingly damages a building or structure and a correctional officer who is present at the scene acting in the line of duty is injured as a result of the fire or explosion. Effective immediately.

May 11 05 H Passed Both Houses

HB 00445 Rep. Daniel V. Beiser
(Sen. William R. Haine)

625 ILCS 45/3-2 from Ch. 95 1/2, par. 313-2

Amends the Boat Registration and Safety Act. Reduces the registration fee for a non-motorized paddle boat to a uniform \$6 (down from \$15 or \$45, depending on the length of the watercraft).

Fiscal Note (Department of Natural Resources)

A loss of revenue annually of approximately \$27,000.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 00497 Rep. Gary Hannig-Patrick J Verschoore-Linda Chapa LaVia-Patricia Bailey-Eddie Washington, Mike Boland, Michael P. McAuliffe, Donald L. Moffitt, James H. Meyer, Aaron Schock, Lisa M. Dugan, Michelle Chavez, Charles E. Jefferson, Naomi D. Jakobsson, John E. Bradley, Jack D. Franks, Thomas Holbrook, Michael K. Smith and Robert F. Flider
 (Sen. Deanna Demuzio and William R. Haine-Martin A. Sandoval-John M. Sullivan-Susan Garrett-Jacqueline Y. Collins)

20 ILCS 2805/4.5 new

Amends the Department of Veterans Affairs Act. Provides that, subject to appropriations for that purpose, the Department shall fund 2 service officer positions for each veterans service organization that maintains an office in the Veterans Affairs Regional Office (VARO) in Chicago. Provides that a service officer whose position is funded under these provisions shall be an employee of the veterans service organization with which the service officer is placed, and the service officer shall be under the direct control of that veterans service organization. Provides that such a service officer must be certified by the federal government in the manner in which the head service officer of each office is certified. Provides that to be eligible to receive any moneys for the funding of a service officer position under these provisions, a veterans service organization must have maintained a state headquarters in this State for at least 10 years before July 1, 2005. Provides that a veterans service organization that is being funded with State or county moneys under any other provision of law on the effective date of this amendatory Act may not receive any moneys for the funding of a service officer position under these provisions.

House Amendment No. 1

Adds reference to:

20 ILCS 2805/4.5 new

Replaces everything after the enacting clause. Amends the Department of Veterans Affairs Act. Provides that subject to appropriations for that purpose, the Department shall make grants to veterans service organizations for the purpose of furthering those organizations' work of providing assistance to veterans. Provides that grants will be provided only to veterans service organizations that maintain an office in the Veterans Affairs Regional Office (VARO) in Chicago and will be divided equally between the qualifying veterans service organizations. Provides that to be eligible to receive a grant, a veterans service organization must have maintained a state headquarters in this State for at least 10 years before July 1, 2005. Provides that a veterans service organization that is being funded with State or county moneys under any other provision of law on the effective date of this amendatory Act may not receive any moneys for any grant under these provisions. Provides that grants made under this section shall not be used to replace or supplant services provided by employees of the Department.

May 11 05 H Passed Both Houses

HB 00518 Rep. Thomas Holbrook-Ron Stephens-Jack D. Franks-Linda Chapa LaVia-Careen M Gordon, Lisa M. Dugan, Michael K. Smith, Dan Reitz, Brandon W. Phelps, Eddie Washington, Daniel V. Beiser, Mike Boland, Mike Bost, Constance A. Howard, Patricia Bailey, Dan Brady, Patrick J Verschoore and Jack McGuire
 (Sen. William R. Haine-Dale A. Righter)

20 ILCS 1805/28.6

20 ILCS 1805/28.9

Amends the Military Code of Illinois. Provides that on or after July 1, 2006, if the Adjutant General determines that Illinois National Guard personnel are not available to perform military funeral honors, the Adjutant General may authorize another appropriate organization to provide one or more of its members to perform those honors and, subject to appropriations for that purpose, shall authorize the payment of a \$100 stipend to the organization. Provides that the Code does not establish any entitlement to military funeral honors if the Adjutant General determines that such other appropriate personnel are not available to perform those honors or if adequate appropriated funds are not available. Effective July 1, 2006.

Fiscal Note (Department of Military Affairs)

The Department does not currently have any appropriated funds for military funeral honors. In the previous fiscal year, Illinois National Guard personnel were not available to provide military funeral honors for approximately 400 funerals. Based upon this experience, \$40,000 (400 funerals multiplied by \$100) would need to be appropriated to the Department of Military Affairs for this purpose.

May 11 05 H Passed Both Houses

HB 00521 Rep. David E. Miller
(Sen. James A. DeLeo)

5 ILCS 375/7 from Ch. 127, par. 527

5 ILCS 375/8 from Ch. 127, par. 528

Amends the State Employees Group Insurance Act of 1971. Requires that the program of life insurance benefits permit active employees and annuitants under age 60 to purchase supplemental life insurance coverage in amounts up to 8 (now, up to 4) times the basic life insurance benefits. Limits the maximum accidental death and dismemberment coverage to the lesser of the amount of basic life benefits plus optional life benefits not exceeding 5 times basic life benefits or \$3,000,000 (now, basic plus optional life benefits). Changes the dependent life insurance coverage to \$10,000 (now, \$5,000), with a reduction to \$5,000 for a spouse when the eligible annuitant turns 60. Effective immediately.

May 11 05 H Passed Both Houses

HB 00524 Rep. Deborah L. Graham-Karen A. Yarbrough-Harry Osterman-John J. Millner-James H. Meyer, Susana A Mendoza, Jim Sacia, Eileen Lyons, William Davis, Mike Boland, Kathleen A. Ryg, Karen May, Elaine Nekritz, Barbara Flynn Currie, Kenneth Dunkin, Milton Patterson, Edward J. Acevedo, Cynthia Soto, John A. Fritchey, David E. Miller, Richard T. Bradley, James D. Brosnahan, Arthur L. Turner, Calvin L. Giles, Naomi D. Jakobsson and Marlow H. Colvin

(Sen. Don Harmon, Martin A. Sandoval and Edward D. Maloney-Jacqueline Y. Collins)

720 ILCS 5/24-1 from Ch. 38, par. 24-1

720 ILCS 5/24-1.1 from Ch. 38, par. 24-1.1

720 ILCS 5/24-1.6

730 ILCS 5/5-5-3 from Ch. 38, par. 1005-5-3

Amends the Criminal Code of 1961 and the Unified Code of Corrections. Requires a mandatory sentence of imprisonment for certain violations of the statutes concerning unlawful use of weapons, the unlawful use or possession of weapons by felons, and aggravated unlawful use of a weapon. Provides that a period of probation, periodic imprisonment, or conditional discharge may not be imposed for these violations.

Correctional Note (Department of Corrections)

House Bill 524 has a Corrections Population Impact of 1,624 inmates and a Fiscal Impact of \$417,746,400.

Fiscal Note (Dept of Corrections)

Corrections population impact of 1,624 inmates and fiscal impact of \$417,746,400 over a ten year period.

May 11 05 H Passed Both Houses

HB 00544 Rep. Kathleen A. Ryg-Naomi D. Jakobsson-Karen May-Cynthia Soto, Maria Antonia Berrios, Edward J. Acevedo, Michelle Chavez, Richard T. Bradley, William Delgado, Robert Rita, Karen A. Yarbrough and Robin Kelly
(Sen. Terry Link)

625 ILCS 5/3-806.4 from Ch. 95 1/2, par. 3-806.4

Amends the Illinois Vehicle Code. Provides that, beginning with the 2007 registration year, an applicant for the registration plates issued to Gold Star recipients shall be charged no fee (rather than a \$15 original issuance fee to be deposited into the Road Fund) in addition to the appropriate registration fee.

Fiscal Note (Office of the Secretary of State)

House Bill 544 will have a minimal fiscal impact on the Secretary of State's Office.

May 11 05 H Passed Both Houses

HB 00577 Rep. Kevin Joyce-Lisa M. Dugan-Patricia R. Bellock-Dan Brady-Naomi D. Jakobsson, Patrick J Verschoore, Jack McGuire, Karen A. Yarbrough, Monique D. Davis and Careen M Gordon
(Sen. Edward D. Maloney)

625 ILCS 5/3-634

Amends the Illinois Vehicle Code provision regarding Illinois Fire Fighters' license plates. Provides that all moneys deposited into the Illinois Fire Fighters' Memorial Fund shall be used exclusively for the purposes listed in the Vehicle Code provision.

May 11 05 H Passed Both Houses

94th General Assembly
Synopsis of Legislation Passed Both Houses
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HB 00583 Rep. Randall M. Hultgren-Sidney H. Mathias
(Sen. Dan Rutherford and Pamela J. Althoff)

765 ILCS 1025/2

from Ch. 141, par. 102

Amends the Uniform Disposition of Unclaimed Property Act. Excepts from the presumption of abandonment by a financial organization a demand, savings, or matured deposit or a fund paid toward the purchase of withdrawable shares or other interest in a financial organization where the owner has, within 5 years, engaged in the following activity regarding other funds or loan accounts with the banking organization: (i) undertook one or more the of the described actions regarding any account that appears on a consolidated statement with the inactive account; (ii) increased or decreased the amount of funds in any other account the owner has with the banking organization; or (iii) engaged in any other relationship with the banking organization, including payment of any amounts due on a loan. Provides that the exception applies only so long as the mailing address for the owner in the banking organization's books and records is the same for both the inactive account and for the active account.

House Amendment No. 1

Changes references from banking organizations to financial organizations.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 00593 Rep. Donald L. Moffitt-William B. Black-Mike Bost-Linda Chapa LaVia-Jim Watson, Bill Mitchell, Ron Stephens, Jim Sacia, Paul D. Froehlich, Sidney H. Mathias, Aaron Schock, Daniel V. Beiser, Patrick J. Verschoore and Jack McGuire
(Sen. John M. Sullivan-Dale E. Risinger and Debbie DeFrancesco Halvorson)

330 ILCS 60/4 from Ch. 126 1/2, par. 32

Amends the Service Member's Employment Tenure Act. Provides that each person scheduled to begin employment with a private employer or with the State of Illinois or a political subdivision who, for the purpose of entering the military service, has left or leaves such scheduled-to-begin-employment status and actually entered the military service and who thereafter (1) receives a certificate or other evidence of honorable discharge or satisfactory completion of military service, (2) is, at the time of such discharge or completion of military service, still qualified to perform the duties of the position of employment which he or she was scheduled to begin, and (3) makes application for re-employment within 90 days after being relieved from such military service, or from hospitalization continuing after discharge for a period of not more than one year, shall be restored by the employer to the position of scheduled-to-begin-employment status which he or she left with the same increases in status, seniority, and wages that were earned during his or her term of military service by employees in like positions who were on the job at the time the returning service member entered the service, or to a position of like seniority, status, and pay, unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so. Extends other protections of the Act to service members who were scheduled to begin employment at the time they entered military service. Effective immediately.

House Amendment No. 1

Deletes reference to:

330 ILCS 60/4

Adds reference to:

20 ILCS 1805/22-10 new

Adds reference to:

330 ILCS 60/4.5 new

Replaces everything after the enacting clause. Amends the Military Code of Illinois and the Service Member's Employment Tenure Act. In the Service Member's Employment Tenure Act, provides that if an employer has given an individual a date upon which that individual is to commence performing services for the employer but the individual is called to active military duty before the date on which the individual's services were to have commenced, then the employer, upon request made by the individual, shall provide the individual with a written copy of the employment offer. Sets forth the minimum contents of the written copy of the employment offer. Provides that if an individual, upon honorable discharge from the military or satisfactory completion of his or her military service, is still qualified to perform the duties of the position for which he or she was first offered employment, and if the individual makes application with the employer within 90 days after he or she is relieved from military service, then the individual shall be given preference for employment with that employer. Provides that if circumstances have so changed as to make it impossible or unreasonable for the employer to employ the individual immediately, the individual shall remain eligible to begin such employment for a period of up to one year after the date the individual first notified the employer of his or her desire to perform such services. Provides that these provisions (i) do not apply if the original offer of work was limited to part-time employment, temporary employment, or casual labor and (ii) do not require an employer to hold a job position open or create additional employment to satisfy the requirements of these provisions. Requires the Adjutant General to give notice of these provisions to persons who are called to active military duty. Effective immediately.

House Amendment No. 2

Deletes reference to:

330 ILCS 60/4

Adds reference to:

20 ILCS 1805/22-10 new

Adds reference to:

330 ILCS 60/4.5 new

HB 00593 (CONTINUED)

Replaces everything after the enacting clause. Amends the Military Code of Illinois and the Service Member's Employment Tenure Act. In the Service Member's Employment Tenure Act, provides that if an employer has given an individual a date upon which that individual is to commence performing services for the employer but the individual is called to active military duty before the date on which the individual's services were to have commenced, then the employer, upon request made by the individual, shall provide the individual with a written copy of the employment offer. Sets forth the minimum contents of the written copy of the employment offer. Provides that if an individual, upon honorable discharge from the military or satisfactory completion of his or her military service, is still qualified to perform the duties of the position for which he or she was first offered employment, and if the individual makes application with the employer within 90 days after he or she is relieved from military service, then the individual shall be given preference for employment with that employer. Provides that if circumstances have so changed as to make it impossible or unreasonable for the employer to employ the individual immediately, the individual shall remain eligible to begin such employment for a period of up to one year after the date the individual first notified the employer of his or her desire to perform such services. Provides that these provisions (i) do not apply if the original offer of work was limited to part-time employment, temporary employment, or casual labor and (ii) do not require an employer to hold a job position open, violate any employment law, collectively bargained employment recall, or other employment obligation, or create additional employment to satisfy the requirements of these provisions. Requires the Adjutant General to give notice of these provisions to persons who are called to active military duty. Effective immediately.

May 11 05 H Passed Both Houses

HB 00603

Rep. Arthur L. Turner-Barbara Flynn Currie-Karen A. Yarbrough-Ed Sullivan, Jr.-Monique D. Davis, Mike Bost, William B. Black, Suzanne Bassi, Jack D. Franks, Kathleen A. Ryg, Julie Hamos, Patricia R. Bellock, Elaine Nekritz, William Davis, William Delgado, Kenneth Dunkin, Deborah L. Graham, Lou Lang, Harry Osterman, Larry McKeon, Sara Feigenholtz, Annazette Collins, Elizabeth Coulson, Ruth Munson, Rosemary Mulligan, Mike Boland, Calvin L. Giles, Naomi D. Jakobsson, Milton Patterson, Wyvetter H. Younge, Marlow H. Colvin, Richard T. Bradley, Lovana Jones, Thomas Holbrook and Angelo Saviano
(Sen. William E. Peterson-Iris Y. Martinez-Christine Radogno, Terry Link, Peter J. Roskam, Kwame Raoul, Martin A. Sandoval-Jacqueline Y. Collins, M. Maggie Crotty, Rickey R. Hendon, James T. Meeks-Miguel del Valle, Mattie Hunter, James F. Clayborne, Jr., Kimberly A. Lightford and Pamela J. Althoff)

35 ILCS 5/214

Amends the Illinois Income Tax Act to end the tax credit for donations to certain affordable housing projects with the taxable year ending on December 31, 2011 (now, 2006). Effective immediately.

May 11 05 H Passed Both Houses

HB 00611

Rep. Constance A. Howard-John J. Millner-Lovana Jones-Annazette Collins-Patricia Bailey and Calvin L. Giles
(Sen. Jacqueline Y. Collins and Martin A. Sandoval-Kwame Raoul)

730 ILCS 5/3-6-3

from Ch. 38, par. 1003-6-3

730 ILCS 5/3-6-8 new

Amends the Unified Code of Corrections. Provides that the rules and regulations for the early release of a prisoner on account of good conduct shall also provide that an additional 60 days of good conduct credit shall be awarded to any prisoner who earns a high school diploma or passes the high school level Test of General Educational Development (GED) and receives a GED certificate while the prisoner is incarcerated. Provides that the Department of Corrections shall develop and establish a program designed to increase the number of committed persons enrolled in programs to obtain a high school diploma or to pass the high school level Test of General Educational Development (GED) and receive GED certificates by at least 100% over the 4-year period following the effective date of this amendatory Act. Provides that pursuant to the program, each institution and facility shall report annually to the Director of Corrections on the number of committed persons enrolled in high school education programs and those who pass the high school level Test of General Educational Development (GED) and receive GED certificates, and the number of committed persons who are on waiting lists for those educational programs. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill but eliminates the award of the additional 60 days good conduct credit for prisoners earning high school diplomas. Also limits the program to committed person in the Adult Division of the Department of Corrections. Effective immediately.

May 11 05 H Passed Both Houses

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HB 00701 Rep. Eileen Lyons-Joseph M. Lyons-Patricia R. Bellock-Julie Hamos-Arthur L. Turner, Dan Brady, John J. Millner, Patricia Bailey, Naomi D. Jakobsson, Karen May and James H. Meyer
(Sen. Dan Rutherford-Jacqueline Y. Collins-Mattie Hunter)

720 ILCS 5/12-18 from Ch. 38, par. 12-18

730 ILCS 5/5-5-6 from Ch. 38, par. 1005-5-6

Amends the Criminal Code of 1961 and the Unified Code of Corrections. Provides that the court may consider restitution an appropriate sentence to be imposed on each defendant convicted of an offense in addition to a sentence of imprisonment. Provides that the court shall take into consideration any real or personal property or other assets of the defendant when it orders restitution. Provides that in addition to any other penalty prescribed by law and any restitution ordered that did not include long-term physical health care costs, the court may, upon conviction of any misdemeanor or felony, order a defendant to pay restitution to a victim if the victim has suffered physical injury as a result of the offense that is reasonably probable to require or has required long-term physical health care for more than 3 months. Provides that long-term physical health care includes mental health care. Provides that the sentence of the defendant to a term of imprisonment is not a mitigating factor that prevents the court from ordering the defendant to pay restitution. Provides that an order of restitution for long-term physical health care costs shall fix a monthly amount to be paid by the defendant for as long as long-term physical health care of the victim is required as a result of the offense. Provides that the order may exceed the length of any sentence imposed upon the defendant for the criminal activity. Provides that in addition to the sentences provided for the offenses of exploitation of a child, child pornography, criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, and aggravated criminal sexual abuse, the court may order any person who is convicted of violating any of those offenses or who was charged with any of those offenses and which charge was reduced to another charge as a result of a plea agreement to meet all or any portion of the financial obligations of treatment, including but not limited to medical, psychiatric, or rehabilitative treatment or psychological counseling, prescribed for the victim or victims of the offense.

May 11 05 H Passed Both Houses

HB 00723 Rep. Kurt M. Granberg
(Sen. Gary Forby)

70 ILCS 410/5 from Ch. 96 1/2, par. 7105

Amends the River Conservancy Districts Act. In the case of a 7-member board representing a district that embraces Franklin and Jefferson counties, provides that the terms of all trustees in office on June 30, 2006 end on July 1, 2006. Provides for the appointment of new trustees.

House Amendment No. 1

Deletes reference to:

70 ILCS 410/5

Adds reference to:

70 ILCS 2105/4a

from Ch. 42, par. 386a

Deletes everything. Amends the River Conservancy Districts Act. In the case of a board representing a district that embraces Franklin and Jefferson counties: (i) authorizes the appropriate appointing presiding officer or officers to remove a trustee for incompetence, neglect of duty, or malfeasance in office, without the advice and consent of the corporate authorities; (ii) ends the terms of all trustees on the effective date of this amendatory Act; and (iii) provides for the appointment of new trustees. Effective immediately.

May 11 05 H Passed Both Houses

HB 00728 Rep. Jerry L. Mitchell-Sandra M. Pihos-Carolyn H. Krause
(Sen. Todd Sieben)

105 ILCS 5/14-7.02 from Ch. 122, par. 14-7.02

Amends the Children with Disabilities Article of the School Code. Provides that the reimbursement of a school district for the amount of paid tuition of a child attending a non-public school or special education facility, public out-of-State school, or county special education facility is not authorized unless the State Superintendent of Education finds that the school district is in substantial compliance with a Section of the Code concerning special educational facilities for children with disabilities (now, the school district must also certify to the State Superintendent of Education that the special education program of the district is unable to meet the needs of a child because of the child's disability in order for reimbursement to be authorized). Effective immediately.

House Amendment No. 1

Restores the language requiring the school district to certify to the State Superintendent of Education that the special education program of the district is unable to meet the needs of a child because of the child's disability. Provides, however, that if a child is unilaterally placed by a State agency or any court in a non-public school or special education facility, public out-of-state school, or county special education facility, a school district shall not be required to certify, for the purpose of tuition reimbursement, its inability to meet a child's needs because of the child's disability.

May 11 05 H Passed Both Houses

HB 00729 Rep. Dan Reitz-Thomas Holbrook, Mike Bost-Patrick J Verschoore, Shane Cultra and Art Tenhouse
(Sen. William R. Haine)

430 ILCS 55/3 from Ch. 127 1/2, par. 1003

Amends the Hazardous Material Emergency Response Reimbursement Act. Adds to the definition of "emergency response agency" a non-governmental organization that provides emergency services and adds mass care or assistance to displaced persons to the list of emergency services that may be provided.

House Amendment No. 1

Provides that "emergency response agency" means a unit of local government, volunteer fire protection organization, or the American Red Cross that provides emergency services (rather than "emergency response agency" means a unit of local government, volunteer fire protection organization, or non-governmental organization that provides emergency services).

May 11 05 H Passed Both Houses

HB 00731 Rep. Roger L. Eddy
(Sen. Dale A. Richter)

5 ILCS 375/3 from Ch. 127, par. 523

Amends the State Employees Group Insurance Act of 1971. Redefines a unit of local government to include a hospital provider owned by a county that has 100 or fewer hospital beds and that has not already joined the insurance program.

May 11 05 H Passed Both Houses

HB 00741 Rep. Roger L. Eddy-William B. Black
(Sen. Dale A. Richter)

40 ILCS 5/16-150.1

Amends the Downstate Teacher Article of the Illinois Pension Code. In provisions concerning retired teachers returning to teach in a subject shortage area, makes changes concerning when the school district must advertise its vacancies and search for teachers. Effective immediately.

May 11 05 H Passed Both Houses

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HB 00744 Rep. Ronald A. Wait-Sidney H. Mathias-Elaine Nekritz-Roger Jenisch-Sandra M. Pihos, Michael Tryon, Roger L. Eddy, Kathleen A. Ryg, Karen May, Naomi D. Jakobsson and Maria Antonia Berrios
(Sen. Iris Y. Martinez-Richard J. Winkel, Jr.-Miguel del Valle-Jacqueline Y. Collins, Debbie DeFrancesco Halvorson, Christine Radogno and Martin A. Sandoval)

20 ILCS 2705/2705-317 new

Amends the Department of Transportation Law of the Civil Administrative Code. Provides that, upon enactment of a federal transportation bill with a dedicated fund available to states for safe routes for schools, the Department of Transportation shall, in cooperation with the State Board of Education and the Department of State Police, establish and administer a Safe Routes to School Construction Program for the construction of bicycle and pedestrian safety and traffic-calming projects, with construction grants being made available to local governmental agencies. Effective immediately.

House Amendment No. 1

Adds proximity to parks and other recreational facilities as a factor that Safe Routes to School proposals for funding are to be rated on.

May 11 05 H Passed Both Houses

HB 00759 Rep. Lou Lang-Sandra M. Pihos-Jack D. Franks-Patricia R. Bellock, Patrick J Verschoore and Jack McGuire
(Sen. Susan Garrett-Jacqueline Y. Collins)

20 ILCS 505/5.25 new

Amends the Children and Family Services Act. Provides that every child with a diagnosis of a mental illness who is placed under the Act shall receive mental health services. Requires DCFS, in cooperation with DHS, to file a proposed rule by January 1, 2006, regarding the mental health services to be provided to these children. Requires DCFS to assess each mental health community network in the State to determine what needs exist in each network for the required mental health services. Requires DCFS, by January 1, 2007, to submit a report describing the assessment of the mental health community networks and a plan to address the identified needs to the Governor and the General Assembly.

House Amendment No. 1

Adds reference to:

20 ILCS 505/5.25 new

Deletes everything after the enacting clause. Amends the Children and Family Services Act. Provides that every child in the care of the Department of Children and Family Services shall receive necessary behavioral health services, including mental health services, trauma services, substance abuse services, and developmental disabilities services. Specifically, there shall be services, such as integrated assessments, treatment plans, individual and group therapy, and specialized foster care. A program facility or home shall assist the Department in arranging for behavioral health services from an outside provider. Provides that DCFS shall file proposed rules by January 1, 2006 regarding the behavioral health services to be provided to children in the care of DCFS. Provides that DCFS shall prepare an assessment of behavioral health community services available in the State by DCFS region to determine what needs for behavioral health services exist. Provides that DCFS, by January 1, 2007, shall submit a report to the Governor and the General Assembly that describes the assessment of available behavioral health services and a plan to address identified needs.

Fiscal Note (Department of Children & Family Services)

The Department under its Program Improvement Plan with the federal government is already planning to conduct this activity. Costs associated with the plan, and thus this legislation that codifies part of the activity, is already factored into the Fiscal Year 2006 budget as introduced. House Bill 759 does not add any additional costs to the Department.

May 11 05 H Passed Both Houses

HB 00785 Rep. Cynthia Soto-Patricia R. Bellock-Eileen Lyons
(Sen. Iris Y. Martinez)

305 ILCS 5/10-10 from Ch. 23, par. 10-10
305 ILCS 5/10-28 new
750 ILCS 5/507 from Ch. 40, par. 507
750 ILCS 5/517 new
750 ILCS 5/705 from Ch. 40, par. 705
750 ILCS 5/709 from Ch. 40, par. 709
750 ILCS 16/25
750 ILCS 45/21 from Ch. 40, par. 2521
750 ILCS 45/28 new

Amends the Illinois Public Aid Code, the Illinois Marriage and Dissolution of Marriage Act, the Non-Support Punishment Act, and the Illinois Parentage Act of 1984. Replaces a provision concerning notice to a circuit clerk that a person is receiving child support enforcement services from the Department of Public Aid and requiring the clerk to send support payments in accordance with the Department's instructions. Provides that the Department of Public Aid may provide notice at any time to the parties to a support action that the Department is providing child support enforcement services. Provides that the Department is thereafter entitled to notice of further court proceedings. Requires the Department to provide the circuit clerk with copies of the notices sent to the parties.

May 11 05 H Passed Both Houses

HB 00828 Rep. Dan Reitz
(Sen. Mike Jacobs and Pamela J. Althoff)

35 ILCS 516/60

Amends the Mobile Home Local Services Tax Enforcement Act. With respect to the notice for application of judgment and sale of tax-delinquent mobile homes, removes the requirement that the notice include the mobile home park where the mobile home is sited, if known, the model year of the home, and the square footage of the home. Provides that the vehicle identification number of the mobile home must be listed only if known. Effective immediately.

May 11 05 H Passed Both Houses

HB 00847 Rep. Bob Biggins-Robert S. Molaro-Mark H. Beaubien, Jr.-Paul D. Froehlich-Elizabeth Coulson
(Sen. Christine Radogno)

5 ILCS 460/85 new
5 ILCS 460/90 new

Amends the State Designations Act. Designates the Eastern Tiger Salamander as the official State amphibian of Illinois. Designates the Painted Turtle as the official State reptile of Illinois.

May 11 05 H Passed Both Houses

HB 00885 Rep. Susana A Mendoza-Sandra M. Pihos-Roger Jenisch-William Delgado-John J. Millner, John D'Amico, Paul D. Froehlich, Kevin Joyce, Sidney H. Mathias, Michael P. McAuliffe, Ron Stephens, Ronald A. Wait, Linda Chapa LaVia, Maria Antonia Berrios, Michelle Chavez, Jack D. Franks, Joseph M. Lyons, Robert F. Flider, Kevin A. McCarthy, Careen M Gordon, Daniel J. Burke, Chapin Rose, Richard T. Bradley and Lisa M. Dugan
(Sen. Dan Cronin-Christine Radogno-Jacqueline Y. Collins)

720 ILCS 5/3-5 from Ch. 38, par. 3-5

Amends the Criminal Code of 1961. Provides that a prosecution for the offense of leaving the scene of a motor vehicle accident involving death or personal injuries or failing to give information and render aid following a motor vehicle accident that involves death or personal injuries or damage to an attended vehicle may be commenced at any time.

House Amendment No. 1

Provides that the amendatory Act may be referred to as the Patrick Leahy Law.

May 11 05 H Passed Both Houses

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HB 00887 Rep. William B. Black-Paul D. Froehlich-Sidney H. Mathias, Karen A. Yarbrough, Patrick J Verschoore, Jack McGuire, Robert W. Pritchard and Roger L. Eddy
(Sen. Dan Cronin)

65 ILCS 5/1-2-1.2 new

625 ILCS 5/11-208.5 new

625 ILCS 5/16-102 from Ch. 95 1/2, par. 16-102

Amends the Illinois Municipal Code and the Illinois Vehicle Code. Provides that a unit of local government may not enact or enforce any ordinance or rule the violation of which would constitute a felony under the Vehicle Code provision prohibiting driving under the influence of alcohol, drugs, or intoxicating compounds. Provides that a municipal attorney may not prosecute, and a State's Attorney may not allow a municipal attorney to prosecute, any ordinance violation that would constitute a felony under the DUI provision of the Vehicle Code. Provides that a municipal attorney must notify the State's Attorney if a driver's alleged conduct would constitute a felony under the DUI provision.

May 11 05 H Passed Both Houses

HB 00888 Rep. William B. Black-Sidney H. Mathias-Sandra M. Pihos-Roger Jenisch, Karen A. Yarbrough, Patrick J Verschoore, Jack McGuire, Patricia R. Bellock, Eileen Lyons and Robin Kelly
(Sen. Dan Cronin-Terry Link)

625 ILCS 5/6-303 from Ch. 95 1/2, par. 6-303

Amends the Illinois Vehicle Code. Provides that any person convicted of a fifth, sixth, seventh, eighth, or ninth (rather than a fifth or subsequent) offense of driving on a revoked or suspended license or permit is guilty of a Class 4 felony if the revocation or suspension was for a hit-and-run or a DUI violation of the Code or a similar out-of-state offense or a similar provision of a local ordinance or reckless homicide or a statutory summary suspension under the Code. Provides that a person convicted of a tenth, eleventh, twelfth, thirteenth, or fourteenth offense is guilty of a Class 3 felony, and is not eligible for probation or conditional discharge, if the revocation or suspension was for one of those violations. Provides that person convicted of a fifteenth or subsequent offense is guilty of a Class 2 felony, and is not eligible for probation or conditional discharge, if the revocation or suspension was for one of those violations.

May 11 05 H Passed Both Houses

HB 00908 Rep. Marlow H. Colvin
(Sen. Kimberly A. Lightford, Adeline Jay Geo-Karis, Dave Sullivan, John O. Jones, Dale E. Risinger, Larry K. Bomke and Richard J. Winkel, Jr.)

115 ILCS 5/11 from Ch. 48, par. 1711

30 ILCS 805/8.29 new

Amends the Illinois Educational Labor Relations Act. Provides that, if a collective bargaining agreement that includes a fair share clause expires or continues in effect beyond its scheduled expiration date pending the negotiation of a successor agreement, then the employer shall continue to honor and abide by the fair share clause until a new agreement that includes a fair share clause is reached. Provides that failure to honor and abide by the fair share clause for the benefit of any exclusive representative shall be a violation of the duty to bargain and an unfair labor practice. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

May 11 05 H Passed Both Houses

HB 00911 Rep. Robert W. Churchill
(Sen. Debbie DeFrancesco Halvorson)

5 ILCS 220/6 from Ch. 127, par. 746

Amends the Intergovernmental Cooperation Act. Provides that an intergovernmental self-insurance agreement, cooperative, or pool does not interfere with statutory obligations of collective bargaining. Makes it unlawful for an intergovernmental joint insurance pool or cooperative to discriminate or retaliate against public agency members that limit their participation in the pool or cooperative as a result of collective bargaining obligations. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Intergovernmental Cooperation Act. Provides that no joint insurance pool or intergovernmental cooperative offering health insurance shall interfere with a public agency's required collective bargaining subjects or discriminate or retaliate against a public agency member that limits its participation as a result of collective bargaining. No intergovernmental insurance contract offering health insurance shall limit the collective bargaining rights or obligations of public agency members. With respect to intergovernmental insurance contracts relating to health, life, or life and health insurance, provides that the pool or contract may permit re-pricing of the costs of coverage for continuing officers and employees when a member withdraws officers or employees into a union-supported program. Prohibits expelling a member from the pool or cooperative if the continuing officers and employees meet general criteria required of all members. Effective immediately.

May 11 05 H Passed Both Houses

HB 00917 Rep. Karen A. Yarbrough-Paul D. Froehlich-Cynthia Soto-Deborah L. Graham-Robin Kelly, Milton Patterson,
Kenneth Dunkin, David E. Miller and Marlow H. Colvin
(Sen. Carol Ronen)

775 ILCS 5/3-105.1 new

Amends the Illinois Human Rights Act. Makes it unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by specified provisions of the federal Fair Housing Act. Effective January 1, 2006.

House Amendment No. 1

Deletes everything. Amends the Illinois Human Rights Act. Makes it a civil rights violation to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by the Real Estate Transactions Article of the Act. Effective January 1, 2006.

May 11 05 H Passed Both Houses

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HB 00923 Rep. Edward J. Acevedo and Karen A. Yarbrough
(Sen. William R. Haine-Jacqueline Y. Collins)

720 ILCS 5/8-2 from Ch. 38, par. 8-2

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

Amends the Criminal Code of 1961. Provides that conspiracy to commit treason, first degree murder, or aggravated kidnapping is a Class 1 (rather than a Class 2) felony. Provides that conspiracy to commit aggravated criminal sexual assault or predatory criminal sexual assault of a child is a Class 1 (rather than a Class 4) felony. Amends the Unified Code of Corrections. Provides that a prisoner serving a sentence for felony domestic battery or for aggravated domestic battery may receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment. Effective immediately.

Fiscal Note (Department of Corrections)

House Bill 923 has a Corrections Population Impact of 544 inmates and a Fiscal Impact of \$126,960,700 over ten years.

House Amendment No. 1

Deletes reference to:

730 ILCS 5/3-6-3

Deletes the amendatory changes to the Unified Code of Corrections that provide that a prisoner serving a sentence for felony domestic battery or for aggravated domestic battery may receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.

Correctional Note (Dept of Corrections)

Corrections Population Impact: 544 inmates. Fiscal Impact: \$126,960,700 over ten years.

Correctional Note (H-AM 1) (Dept. of Corrections)

Corrections Population Impact: 52 Inmates. Fiscal Impact: \$8,919,000.

May 11 05 H Passed Both Houses

HB 00942 Rep. Robert F. Flider-Donald L. Moffitt-Eileen Lyons-Naomi D. Jakobsson-Patrick J Verschoore and Jack McGuire
(Sen. John M. Sullivan)

240 ILCS 40/10-25

Amends the Grain Code. Authorizes the use of warehouse receipts in electronic form. Provides that electronic receipts are as valid and enforceable as paper receipts. Provides that references in the Code to written or printed receipts include electronic receipts. Effective immediately.

May 11 05 H Passed Both Houses

HB 00950 Rep. John A. Fritchey-David E. Miller-William Delgado-Harry Osterman
(Sen. Don Harmon-Kirk W. Dillard)

745 ILCS 49/20

Amends the Good Samaritan Act. Defines "organized program" for the purposes of the Section concerning immunity for free dental clinics. Provides that services donated to a free dental clinic may be provided at a clinic, hospital, medical facility, or private dental office.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts provisions of the original bill with these changes. Provides that free dental services provided under the Section exempting free dental clinics from civil liability may be provided at a clinic or private dental office (instead of a clinic hospital, medical facility, or private dental office). Provides that a fee received by a free dental clinic may not be used to reimburse or compensate an entity that a person licensed under the Illinois Dental Practice Act owns or controls or in which the person has ownership interest or from which the person receives a fee, reimbursement, or compensation of any kind.

May 11 05 H Passed Both Houses

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HB 00992 Rep. William Delgado, Jack D. Franks and Linda Chapa LaVia
(Sen. Iris Y. Martinez)

730 ILCS 5/5-4-3 from Ch. 38, par. 1005-4-3

Amends the Unified Code of Corrections. Provides that any person sentenced to life imprisonment in a facility of the Illinois Department of Corrections after the effective date of this amendatory Act or sentenced to death after the effective date of this amendatory Act shall be required to provide a specimen of blood, saliva, or tissue within 45 days after sentencing or disposition at a collection site designated by the Illinois Department of State Police. Provides that any person serving a sentence of life imprisonment in a facility of the Illinois Department of Corrections on the effective date of this amendatory Act or any person who is under a sentence of death on the effective date of this amendatory Act shall be required to provide a specimen of blood, saliva, or tissue upon request at a collection site designated by the Illinois Department of State Police. Effective immediately.

May 11 05 H Passed Both Houses

HB 00996 Rep. Mike Boland-Donald L. Moffitt-Thomas Holbrook-Michael K. Smith
(Sen. Debbie DeFrancesco Halvorson)

625 ILCS 5/12-215 from Ch. 95 1/2, par. 12-215

Amends the Illinois Vehicle Code. Provides that a fire chief may drive a vehicle using red or white oscillating, rotating, or flashing lights if the vehicle is designated or authorized as a fire department, fire protection district, or township fire department vehicle and the designation or authorization is carried in the vehicle.

House Amendment No. 1

Provides that a fire chief must have completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal, and that the lights may be visible or activated only when responding to a bona fide emergency.

May 11 05 H Passed Both Houses

HB 01002 Rep. Kevin Joyce-Paul D. Froehlich-David E. Miller-Eileen Lyons-James D. Brosnahan, Deborah L. Graham, Timothy L. Schmitz, Karen A. Yarbrough, Richard T. Bradley, Jim Watson, Robin Kelly, Eddie Washington and John D'Amico
(Sen. Don Harmon-Edward D. Maloney-Jacqueline Y. Collins)

720 ILCS 5/29B-1 from Ch. 38, par. 29B-1

Amends the Criminal Code of 1961 concerning the offense of money laundering. Provides that money laundering also may occur when a person, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, conducts or attempts to conduct such a financial transaction which in fact involves criminally derived property: (A) with the intent to promote the carrying on of the unlawful activity from which the criminally derived property was obtained; or (B) where he or she knows or reasonably should know that the financial transaction is designed in whole or in part: (i) to conceal or disguise the nature, the location, the source, the ownership or the control of the criminally derived property; or (ii) to avoid a transaction reporting requirement under State law. Provides for the introduction of certain evidence to show whether the property or proceeds were known to be some form of criminally derived property or from some form of specified unlawful activity. Provides for the forfeiture of property derived from money laundering. Specifies which units of government shall receive the proceeds of the forfeited property. Effective immediately.

May 11 05 H Passed Both Houses

HB 01005 Rep. Kevin Joyce-Constance A. Howard-John A. Fritchey-David E. Miller, Elizabeth Coulson and Sara Feigenholtz
 (Sen. Louis S. Viverito-M. Maggie Crotty)

225 ILCS 7/Act rep.

Repeals the Board and Care Home Registration Act.

House Amendment No. 1

Deletes reference to:

225 ILCS 7/Act rep.

Adds reference to:

225 ILCS 7/2

Adds reference to:

225 ILCS 7/3

Adds reference to:

225 ILCS 7/6 new

Adds reference to:

225 ILCS 7/7 new

Adds reference to:

210 ILCS 9/160

Deletes everything. Amends the Board and Care Home Registration Act. Changes the definition of "Department" to mean the Department of Public Health (rather than the Department on Aging). Requires the Department to promulgate rules to enforce the provisions of the Act. Prohibits public officials, agents, and employees from placing any person in a board and care home that is not registered and from placing the name of an unregistered establishment on a list of programs. Provides civil penalties. Provides for the transfer of authority under the Act and the transfer of property and records relating to matters under the Act from the Department on Aging to the Department of Public Health. Provides that fees and fines collected under the Act shall be deposited into the Assisted Living and Shared Housing Regulatory Fund. Amends the Assisted Living and Shared Housing Act to require that funds deposited into the Assisted Living and Shared Housing Regulatory Fund be used for the administration of the Board and Care Home Registration Act.

May 11 05 H Passed Both Houses

HB 01031 Rep. Angelo Saviano-Karen A. Yarbrough-Patricia R. Bellock
 (Sen. Antonio Munoz-Kirk W. Dillard)

225 ILCS 85/8 from Ch. 111, par. 4128

Amends the Pharmacy Practice Act of 1987. Makes a technical change in a Section concerning licensure without examination.

House Amendment No. 2

Deletes reference to:

225 ILCS 85/8

Adds reference to:

225 ILCS 85/14 from Ch. 111, par. 4134

Adds reference to:

225 ILCS 85/15 from Ch. 111, par. 4135

Adds reference to:

225 ILCS 85/18 from Ch. 111, par. 4138

Deletes everything after the enacting clause. Amends the Pharmacy Practice Act of 1987. Adds a Division VI license for pharmacies that provide pharmacy services to patients of institutions serviced by pharmacies with a Division II or Division III license, without using their own supply of drugs. Provides that the structural, equipment, and record retention requirements for a Division VI pharmacy shall be set by rule. Effective immediately.

May 11 05 H Passed Both Houses

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HB 01051 Rep. Susana A Mendoza-Kevin A. McCarthy-Calvin L. Giles-Edward J. Acevedo-Cynthia Soto and Michelle Chavez
 (Sen. Kimberly A. Lightford)

110 ILCS 947/50

110 ILCS 947/52

110 ILCS 947/65.15

110 ILCS 922/Act rep.

Amends the Higher Education Student Assistance Act. Makes changes concerning Minority Teachers of Illinois scholarships with respect to exceptions to the teaching obligation requirement. Makes changes concerning the Illinois Future Teacher Corps Program with respect to the teaching obligation requirement. Makes changes concerning special education teacher scholarships with respect to eligibility, certification of applicants, and the teaching obligation requirement. Repeals the Child Development Teacher Scholarship Act. Effective July 1, 2005, except that the special education teacher scholarship changes take effect on July 1, 2006.

House Amendment No. 1

With respect to special education teacher scholarships, changes a reference from the State Comptroller to the State Treasurer.

May 11 05 H Passed Both Houses

HB 01077 Rep. Kathleen A. Ryg-Dan Brady-Michael P. McAuliffe-Naomi D. Jakobsson-Lisa M. Dugan, Linda Chapa LaVia, William Delgado, Paul D. Froehlich, David R. Leitch, Chapin Rose, Jim Sacia, Daniel V. Beiser, Robert W. Pritchard, Renee Kosel, JoAnn D. Osmond, Sara Feigenholtz, Mike Boland, Karen May, Lou Lang, Jack D. Franks, Kenneth Dunkin, Michelle Chavez, Karen A. Yarbrough, Larry McKeon, David E. Miller, Rich Brauer, Robin Kelly, Eileen Lyons, Patricia R. Bellock, Deborah L. Graham, Aaron Schock, Eddie Washington, Wyvetter H. Younge, William Davis, Arthur L. Turner and John D'Amico
 (Sen. Jacqueline Y. Collins-Mike Jacobs-Kathleen L. Wojcik-John J. Cullerton)

625 ILCS 5/6-110 from Ch. 95 1/2, par. 6-110

625 ILCS 5/6-117 from Ch. 95 1/2, par. 6-117

755 ILCS 50/5-20 was 755 ILCS 50/5

755 ILCS 50/5-40 was 755 ILCS 50/7

755 ILCS 50/5-45 was 755 ILCS 50/8

Amends the Illinois Vehicle Code and the Illinois Anatomical Gift Act. Provides that the Secretary of State may establish a First Person Consent organ and tissue donor registry. Provides that the Secretary may offer, to each applicant for reissuance or renewal of a driver's license or identification card who is 18 or older, the opportunity to have his or her name included on the registry. Provides that the Secretary must advise the person that he or she is under no compulsion to have his or her name included. Establishes additional procedures for creating the registry. Provides that the Secretary must continue, until the registry has been established, to provide, on the reverse side of each driver's license issued, a format that the licensee may use to execute an anatomical gift. Provides that a person may make an anatomical gift by consenting to having his or her name included in the registry. Provides that in the absence of gross negligence, willful misconduct, the Secretary of State and his or her employees from criminal or civil liability in connection with a person's consent to be listed in the registry.

Fiscal Note (Office of the Secretary of State)

The estimated cost for House Bill 1077 (first person consent registry) is \$400,000 for the first year and \$60,000 annually thereafter. The estimated costs include training personnel, staff training, microfilm supplies, printers, and office supplies.

May 11 05 H Passed Both Houses

HB 01081 Rep. William Davis-Lovana Jones-Paul D. Froehlich-Calvin L. Giles and Marlow H. Colvin
 (Sen. Jacqueline Y. Collins-Kirk W. Dillard-Martin A. Sandoval)

625 ILCS 5/11-501 from Ch. 95 1/2, par. 11-501

Amends the Illinois Vehicle Code. Provides that, if a defendant is convicted of aggravated driving under the influence of alcohol, drugs, or intoxicating compounds because his or her DUI violation was the cause of the death of one or more persons, the defendant shall be sentenced to a term of imprisonment, unless the court determines that extraordinary circumstances exist and require probation.

May 11 05 H Passed Both Houses

HB 01132 Rep. William B. Black-Paul D. Froehlich-Sidney H. Mathias-Eileen Lyons-Terry R. Parke, Donald L. Moffitt, Randall M. Hultgren, Patrick J Verschoore, Jack McGuire, Sandra M. Pihos, Jack D. Franks, William Davis, Linda Chapa LaVia, Patricia R. Bellock, Suzanne Bassi, Careen M Gordon, Lisa M. Dugan and Daniel V. Beiser
(Sen. Adeline Jay Geo-Karis-Martin A. Sandoval)

625 ILCS 5/11-501 from Ch. 95 1/2, par. 11-501

Amends the Illinois Vehicle Code. Provides that any person convicted a sixth or subsequent time of driving under the influence of alcohol, drugs, or intoxicating compounds is guilty of a Class X felony.

Correctional Note (Dept of Corrections)

The total impact of House Bill 1132 would result in an increase of 256 inmates, with additional operating costs of \$42,998,500 and construction costs of \$14,986,700 over ten years.

May 11 05 H Passed Both Houses

HB 01134 Rep. Robert W. Pritchard-Paul D. Froehlich-Sidney H. Mathias-Kenneth Dunkin and Jack D. Franks
(Sen. Christine Radogno-Kwame Raoul)

740 ILCS 45/2 from Ch. 70, par. 72

Amends the Crime Victims Compensation Act. Adds expenses for care and counseling by licensed clinical professional counselors to the definition of "pecuniary loss".

May 11 05 H Passed Both Houses

HB 01151 Rep. John J. Millner
(Sen. Deanna Demuzio)

20 ILCS 2635/8 from Ch. 38, par. 1608

Amends the Illinois Uniform Conviction Information Act. Deletes a provision requiring an annual review the maximum fees for processing requests for conviction information. Effective immediately.

May 11 05 H Passed Both Houses

HB 01157 Rep. Patricia Reid Lindner-Timothy L. Schmitz-Michael Tryon-Robert W. Pritchard-Randall M. Hultgren
(Sen. Chris Lauzen)

65 ILCS 5/2-3-5a from Ch. 24, par. 2-3-5a

Amends the Illinois Municipal Code. Provides that in a county that has more than 400,000 but fewer than 410,000 inhabitants, if an area of contiguous territory not exceeding one square mile that has at least 400 inhabitants residing in permanent dwellings and is located in a township that is adjacent to a county of fewer than 150,000 inhabitants, then that area and the area adjacent to it, not exceeding 12 square miles in total, may be incorporated as a village by following the existing procedure. Neither the consent of a municipality nor a finding of the county board need to be obtained. Effective immediately.

House Amendment No. 1

Reinserts the provisions setting forth procedures for certain areas to be incorporated as a village, but provides that the area to be incorporated as a village may not exceed 4 square miles (instead of 12 square miles) and must be within the same township.

May 11 05 H Passed Both Houses

HB 01182 Rep. Patrick J Verschoore
(Sen. Mike Jacobs)

625 ILCS 5/11-1427.3

Amends the Illinois Vehicle Code. Provides that the Department of Natural Resources may (rather than shall) adopt administrative rules regarding the operation of all-terrain vehicles and off-highway motorcycles.

May 11 05 H Passed Both Houses

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HB 01301 Rep. John A. Fritchey-Sandra M. Pihos, Kenneth Dunkin, Elizabeth Coulson, Mike Boland, Edward J. Acevedo, Monique D. Davis, Joe Dunn, Ruth Munson, Richard T. Bradley and Joseph M. Lyons
(Sen. Ira I. Silverstein-Jacqueline Y. Collins)

205 ILCS 5/48.1 from Ch. 17, par. 360

Amends the Illinois Banking Act. Provides that the Act does not prohibit the furnishing of information to certain entities if there is suspicion by the entity or the bank (rather than the bank suspects) that a customer who is an elderly or disabled person has been or may become the victim of financial exploitation. Provides that a bank or person furnishing the information shall be entitled to the same rights and protections as a person furnishing information under the Abuse of Adults with Disabilities Intervention Act. Effective immediately.

House Amendment No. 1

Adds reference to:

205 ILCS 105/3-8

from Ch. 17, par. 3303-8

Adds reference to:

205 ILCS 205/4013

from Ch. 17, par. 7304-13

Adds reference to:

205 ILCS 305/10

from Ch. 17, par. 4411

Amends the Illinois Savings and Loan Act of 1985, the Savings Bank Act, and the Credit Union Act. Provides that savings and loan associations, savings banks, and credit unions are not prohibited from furnishing information to certain entities if there is suspicion by the entity that a customer who is an elderly or disabled person has been or may become the victim of financial exploitation. Provides that the entity or person furnishing the information shall be entitled to the same rights and protections as a person furnishing information under the Abuse of Adults with Disabilities Intervention Act.

May 11 05 H Passed Both Houses

HB 01310 Rep. Robert Rita
(Sen. Terry Link)

50 ILCS 610/1 from Ch. 21, par. 13

Amends the Public Graveyards Act. Provides that, if a township board has vested control of a public graveyard in 3 trustees, the township board may, by resolution, divest the trustees of control and assume control of the public graveyard. Effective immediately.

May 11 05 H Passed Both Houses

HB 01311 Rep. William Davis
(Sen. Terry Link)

60 ILCS 1/30-95

Amends the Township Code. Gives township electors power to regulate or prohibit poultry running at large.

May 11 05 H Passed Both Houses

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HB 01315 Rep. Charles E. Jefferson and Mike Boland
 (Sen. Arthur J. Wilhelmi-Pamela J. Althoff)

10 ILCS 5/4-16	from Ch. 46, par. 4-16
10 ILCS 5/5-23	from Ch. 46, par. 5-23
10 ILCS 5/6-53	from Ch. 46, par. 6-53
10 ILCS 5/17-14	from Ch. 46, par. 17-14

Amends the Election Code. Authorizes election authorities to use obituaries to obtain information for purposes of purging voter registration records. Makes changes in the large county and board of election commissioners Articles to conform to procedures in the smaller county Article with respect to purging. Removes the requirement that a physically disabled voter seeking assistance marking the ballot must state whether his or her disability is permanent.

House Amendment No. 1

Deletes reference to:

10 ILCS 5/4-16

Deletes reference to:

10 ILCS 5/5-23

Deletes reference to:

10 ILCS 5/6-53

Deletes all provisions relating to purging voting records.

May 11 05 H Passed Both Houses

HB 01324 Rep. William B. Black-Roger L. Eddy and Shane Cultra
 (Sen. Richard J. Winkel, Jr.)

105 ILCS 5/10-21.12	from Ch. 122, par. 10-21.12
105 ILCS 5/10-22.22	from Ch. 122, par. 10-22.22
105 ILCS 5/10-22.22b	from Ch. 122, par. 10-22.22b

Amends the School Code. Allows for the deactivation of an elementary school facility in the same manner as the deactivation of a high school facility. Effective immediately.

May 11 05 H Passed Both Houses

HB 01333 Rep. Sidney H. Mathias-John J. Millner-Paul D. Froehlich-Roger Jenisch-Donald L. Moffitt, William B. Black and Karen A. Yarbrough
 (Sen. Martin A. Sandoval-Kirk W. Dillard)

55 ILCS 5/5-1097.5

55 ILCS 5/5-1097.7 new

Amends the Counties Code. Provides that no adult entertainment facilities within an unincorporated area of a county shall be located within 3,000 feet of a specified area, such as a school, a day care center, a public park, a place of religious worship, or a residence (now, the ban applies throughout the county but does not include residences). Provides that the Attorney General or the State's attorney of the county in which the adult entertainment facility is located may seek enforcement by injunction. Provides that a county may adopt an ordinance to regulate adult entertainment facilities and includes definitions of specified anatomical areas and specified sexual activities. Provides that the ordinance may authorize the State's attorney to institute a civil action to restrain an ordinance violation. Authorizes fines of up to \$1,000 per day for each violation and injunctive relief to abate violations or to prevent violations from continuing.

May 11 05 H Passed Both Houses

HB 01339 Rep. Patrick J Verschoore-Paul D. Froehlich
(Sen. Mike Jacobs)

625 ILCS 40/5-7

625 ILCS 40/10-3

625 ILCS 45/5-16

625 ILCS 45/6-1 from Ch. 95 1/2, par. 316-1

625 ILCS 45/11A-5 from Ch. 95 1/2, par. 321A-5

Amends the Snowmobile Registration and Safety Act and the Boat Registration and Safety Act. Provides that a person who has not been previously convicted of or assigned supervision for operating a snowmobile or watercraft under the influence of alcohol, drugs, or intoxicating compounds (OUI), and has not had his or her operating privileges suspended under the applicable provision, is a first offender regarding the applicable provision. Provides that a forfeiture of bail to secure a court appearance or a failure to appear for trial is equivalent to a conviction. Provides that a person may not operate a snowmobile or watercraft while his or her privilege to do so has been revoked in this State, by another State, or by a province of Canada. Provides that the Department of Natural Resources shall suspend for one year the watercraft operating privileges of any person convicted of misdemeanor of OUI under a local ordinance or federal law and for three years the privileges of anyone convicted of felony OUI or reckless homicide. Requires the operator of a vessel to report an accident involving any injury requiring treatment beyond first aid (rather than any injury resulting in the victim's incapacitation for a period of 72 hours). Requires reporting of a watercraft accident resulting in \$2,000 or more in property damage or complete loss of a vessel (rather than reporting of any accident resulting in \$500 or more in property damage).

May 11 05 H Passed Both Houses

HB 01343 Rep. William Delgado-Cynthia Soto-Maria Antonia Berrios-Michelle Chavez, Lou Lang, Milton Patterson, Richard T. Bradley and Robert Rita
(Sen. Iris Y. Martinez-Christine Radogno-Jacqueline Y. Collins)

New Act

Creates the Child Welfare Student Loan Forgiveness Act. Establishes the Child Welfare Student Loan Forgiveness Program to provide loan assistance, subject to appropriation, to eligible students for upper-division undergraduate and graduate study in social work or human services. Provides that forgivable loans may be awarded for a maximum of 2 academic years and requires a loan recipient to work in child welfare at the Department of Children and Family Services, its successor, or a contracting agency for at least the number of years for which the loan is received. Sets maximum amounts for the loans at \$4,000 for loans awarded at the undergraduate level and \$8,000 for loans awarded at the graduate level. Contains provisions concerning eligibility, repayment, credit, and a penalty for non-compliance.

May 11 05 H Passed Both Houses

HB 01344 Rep. Careen M Gordon, Jack D. Franks and Linda Chapa LaVia-Lisa M. Dugan
(Sen. James F. Clayborne, Jr.)

815 ILCS 505/2Z from Ch. 121 1/2, par. 262Z

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that any person who knowingly violates the Automotive Collision Repair Act commits an unlawful practice within the meaning of the Act.

May 11 05 H Passed Both Houses

94th General Assembly
Synopsis of Legislation Passed Both Houses
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HB 01345 Rep. David E. Miller and Robin Kelly
(Sen. M. Maggie Crotty-Jacqueline Y. Collins and Martin A. Sandoval)

405 ILCS 30/4.4 new

405 ILCS 30/4.5 new

Amends the Community Services Act. Provides that whenever any appropriation, or any portion of an appropriation, for any fiscal year relating to the funding of any State-operated facility operated by the Office of Developmental Disabilities within the Department of Human Services or any mental health facility operated by the Office of Mental Health within the Department is reduced because of any of the following reasons, those moneys must be directed toward providing other services and supports for persons with developmental disabilities or mental health needs: (1) closing of a State-operated facility; (2) reduction in the number of units or available beds in a State-operated facility; or (3) reduction in the number of staff at a State-operated facility. Provides that in determining whether any savings are realized from closure of a State-operated facility or a reduction in the number of units, available beds, or staff, sufficient moneys shall be made available to ensure that there is an appropriate level of staffing and that life, safety, and care concerns are addressed so as to provide for the remaining persons with developmental disabilities or mental illness at State-operated facilities. Provides that the plan for using any savings realized from such a closure or reduction must be shared and discussed with advocates, advocacy organizations, and advisory groups whose mission includes advocacy for persons with developmental disabilities or persons with mental illness. Effective immediately.

May 11 05 H Passed Both Houses

HB 01351 Rep. Deborah L. Graham-Sidney H. Mathias-Paul D. Froehlich, Richard T. Bradley, Jack D. Franks and Linda Chapa LaVia
(Sen. Jacqueline Y. Collins-Martin A. Sandoval)

625 ILCS 5/11-401 from Ch. 95 1/2, par. 11-401

625 ILCS 5/11-501.1 from Ch. 95 1/2, par. 11-501.1

Amends the Illinois Vehicle Code. Provides that any person arrested for leaving the scene of an accident involving death or personal injury is subject to chemical testing for alcohol, drugs, or intoxicating compounds. Provides that the person's driving privileges are subject to statutory summary suspension if he or she fails or refuses to undergo the testing.

House Amendment No. 1

Provides that the person is subject to the testing only if the testing occurs within 5 hours of the time of the occurrence of the accident that led to his or her arrest.

House Amendment No. 2

Provides that the person is subject to testing within 12 (rather than 5) hours of the time of the occurrence of the accident.

May 11 05 H Passed Both Houses